

REMARKS

Status of Claims

Claims 1-8 are pending and rejected.

Claims 1 and 8 have been amended to correct informalities in the claim language. Claim 9 has been added to recite additional subject matter disclosed in the original specification that was not previously claimed. Support for this new claim may be found at, for example, Figs. 1, 2, 5 or 6, and the corresponding parts of the specification.

Objections to the Specification

In the Office Action dated March 7, 2007, the Examiner objected to the title of the invention because it is not descriptive. Applicants respectfully submit that the amendment made to the title overcomes this objection.

Rejection under 35 U.S.C. §102

Claims 1, 2 and 6-8 have been rejected under 35 U.S.C. §102 as being anticipated by Yamada et al (US 2001/0000335). Applicants respectfully traverse this rejection.

The Examiner asserts that Yamada et al. disclose at least a part of a surface of the silicon fine particle is covered with a conductive material. Applicants respectfully submit that in Yamada et al., a surface of a layer (1010) comprising the silicon fine particles is in contact with a conductive material (1013). On the other hand, in the present invention, each surface of substantially all of the silicon fine particles is at least partially covered with a conductive material. In this regard, the Examiner's attention is respectfully directed to, for example, Figs. 1 or 2, where a silicon fine particle 5 is covered with a conductive material 6. Since the cited prior art fails to disclose each

surface of substantially all of the silicon fine particles is at least partially covered with a conductive material, Applicants respectfully request that the Examiner withdraw the rejection of Claim 1. Similarly, Claim 8 should be allowable for at least the same reason as Claim 1. Further, since Claims 6-8 depend from Claim 1, these claims are also allowable for at least the same reason as Claim 1.

Rejection under 35 U.S.C. §103(a)

Claims 3 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada et al. in view of Yamazaki et al. (USP 6,492,659). Also, Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Yamada et al. in view of Kahen (USP 6,545,409).

Applicants respectfully traverse these rejections for the following reasons.

First, since Claims 3-5 depend from Claim 1, these claims are also allowable for at least the same reason as Claim 1.

Second, neither Yamazaki et al. nor Kahen disclose each surface of substantially all of the silicon fine particles is at least partially covered with a conductive material. In order to establish *prima facie* obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. *In re Rokya*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974). At a minimum, the cited prior art does not disclose expressly or inherently the above recited limitation. Thus, Applicants respectfully request that the Examiner withdraw the rejections of Claims 3-5.

With regard to the new claim 9, since the cited prior art fails to disclose a silicon fine particle covered with a conductive material, it is respectfully submitted that Claim 9 is also

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allowable for at least the same reason as Claim 1.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Please charge the fees due in connection with the filing of petition for one month extension of time, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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